

Agenda Item	
A-1	Wishing to be heard during the Open Comment Period was Tucker Carlson, Director of Government Relations for Charter Communications. Mr. Carlson handed out a letter to the Council answering the concerns they expressed in regard to the Victory Sports Issue. (Not broadcasting Twins Baseball games due to a negotiations conflict between Victory Sports and the Minnesota Twins and Charter Communications.
B-1	President John Hunziker called the meeting to order at 7:00 P.M. with the following members present: Councilmembers Dennis Hanson, Marcia Marcoux, Jean McConnell, Sandra Means, Bob Nowicki, Walter Stobaugh. Absent: None. Also present: Mayor Ardell F. Brede.
C-1	Mayor Brede presented to Lyle Zimmerman, the Director of the Water Reclamation Plant, a Certificate of Commendation from the Minnesota Pollution Control Agency for outstanding operation, maintenance and management of a wastewater treatment system.
D-1-23	Councilmembers McConnell moved, Hanson seconded, to approve the following consent agenda items.
D-1	Approved the April 19, 2004, Council minutes.
D-2	See at end of D Items.
D-3	Adopted Resolution No. 197-04 entering into a Professional Services Agreement with Yaggy Colby Associates to conduct a feasibility study for the remodeling or expansion of Fire Station #2 at a cost not to exceed \$15,700.00.
D-4	Adopted Resolution No. 198-04 setting a public hearing on May 17, 2004, on the Development Program and Tax Increment Financing Plan for Valley Side Estates Third Subdivision.
D-5	Adopted Resolution No. 199-04 authorizing the City Clerk to advertise for bids for Project No. J-6971 "Grading and Electrical Work for the Extension of Runway 13/31 at the Rochester International Airport".
D-6	Adopted Resolution No. 200-04 authorizing the City Clerk to advertise for bids for Project No. J-6981 "Relocation of County Road 16 S.W. to Accommodate the Extension of Runway 13/31 at the Rochester International Airport".
D-7	See at end of D Items.
D-8	Approved Accounts Payable in the amount of \$4,181,346.14 and Investment Purchases of \$7,470,658.75.
D-9	Adopted Resolution No. 201-04 approving the Wetland Delineation and Replacement Plan for Pebble Creek Subdivision.

RECORD OF OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
CITY OF ROCHESTER, MINNESOTA
Regular Meeting No. 10 – May 3, 2004

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D-10	Adopted Resolution No. 202-04 entering into a Communications Facility Income License Agreement with the State of Minnesota at a cost of \$650.00 for five years.
D-11	Approved the proposed changes to the City/Owner Contracts for all future agreements effective May 3, 2004.
D-12	Adopted Resolution No. 203-04 authorizing an Engineering Services Agreement not to exceed \$29,420.00 with Yaggy-Colby & Associates for preliminary engineering services for Project No. J-7902 "TH14 West Pedestrian Bridge Support".
D-13	Adopted Resolution No. 204-04 authorizing Supplemental Agreement #4 in the amount of \$20,498.75 for Project No. 6255-4-96 (J-2266) "55 th Street NW from West River Road to Bandel Road NW".
D-14	Adopted Resolution No. 205-04 authorizing Supplemental Agreement #1 in the amount of \$100,000.00 for Project No. 6350-4-99 (J-9578) "50 th Avenue from Nicklaus Drive to 60 th Street NW".
D-15	Adopted Resolution No. 206-04 approving Construction Engineering Service Agreements with WHKS & Company for Project No. M1-27 (J-9788) "Sanitary Sewer and Watermain Extension to Serve the Thomas Subdivision Area", Project No. M1-28 (J-9789) "Sanitary Sewer and Watermain Extension to Serve the Welch Subdivision Area", and Project No. M1-80 (J-9836) "Sanitary Sewer and Watermain Extension to Serve the Vandal's Subdivision Area".
D-16	Adopted Resolution No. 207-04 awarding the contract to Elcor Construction in the amount of \$957,796.30 for Project No. M1-80 (J-9836) "Sanitary Sewer and Watermain Extension to Serve the Vandal's Subdivision Area".
D-17	Adopted Resolution No. 208-04 approving an Engineering Service Agreement with McGhie & Betts, Inc. in an amount not to exceed \$6,800.00 for Project No. J-7212 "Official Street Map for TH52/65 th Street area and Frontage Roads to the North".
D-18	<p>Adopted Resolution No. 209-04 amending the "Comprehensive Parking and Traffic Resolutions Book" as follows:</p> <p>Add Paragraph 2.1 to Section I, Zone G – 3 Hour Meters to read as follows: "West Center in the 400 block on north side from 4th Avenue West space numbers 51-25, 51-26, 51-27, and 51-28"</p> <p>Add Paragraph 2.2 to Section I, Zone G – 3 Hour Meters so as to read as follows: "West Center Street in the 500 block on the south side from 6th Avenue to approximately 200 feet east"</p> <p>Add Paragraph 2.3 to Section I, Zone G – 3 Hours Meters so as to read as follows: "West Center Street on the north side from 5th Avenue to 6th Avenue between the hours of 9:00 AM and 3:00 PM"</p> <p>Amend Paragraph 10 Section E, Passenger Loading so as to read as follows: "West Center Street on the south side from a point 130 feet more or less west of 4th Avenue to a point 200 feet more or less east of 6th Avenue"</p>

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	<p>Add Paragraph 10.1 of Section E, Passenger Loading so as to read as follows: "West Center in the 400 block on the north side from an approximate distance of 100' west of 4th Avenue to 5th Avenue (in front of the Residence Inn) – 15 minute at all times"</p> <p>Add Paragraph 81.1 of Section E, Passenger Loading so as to read as follows: "5th Avenue NW in the 10 block on the east side from West Center Street north to the driveway entrance to Residence Inn's parking garage entrance – 15 minute Monday through Friday 6AM to 6PM"</p> <p>Add Paragraph 11.0 of Section I, Zone E – 90 Minute Meters so as to read as follows: "3rd Street NW in the 10 block both sides from Broadway to the railroad tracks meters #16-25, 16-26, 16-27, 16-28, 23-75, 23-77"</p> <p>Add paragraph 32.0 of Section B, No Parking – so as read as follows: "1st Street NE in the 100 block on the south side from the alley approximately 30' east"</p>
D-19	Adopted Resolution No. 210-04 authorizing the City Clerk to advertise for bids for Project No. 6255-4-99 (J-9579) "Reconstruct 55 th Street NW from west of 52 nd Avenue NW to 60 th Avenue NW".
D-20	Adopted Resolution No. 211-04 approving the Badger Hills Development Agreement with Badger Hills, LLC.
D-21	See at end of D Items.
D-22	<p>Adopted Resolution No. 212-04 approving a Right-of-Entry Agreement for representatives of the Northern Hills Golf Course to remove pine trees from the Alpha property to the south of the golf course for transplanting.</p> <p>Ayes (7), Nays (0). Motion carried.</p>
D-2	<p>Councilmember Stobaugh noted that he is affiliated with the Boys and Girls Club and will abstain from voting on this item.</p> <p>Councilmembers Hanson moved, Marcoux seconded, to approve the appropriation of \$9,229 from the 2004 Contingency Account for the YEP Summer Work Program. Ayes (6), Nays (0), Abstain (1). Motion carried. Councilmember Stobaugh abstained.</p>
D-7	<p>Councilmember Hanson asked what time the public dances requested by Alfredo Flores are over. Judy Scherr, City Clerk, responded that the dances run until 11:00 or 12 Midnight. She said there is not a problem with sound as it is contained within the Graham Arena building.</p> <p>Councilmembers Hanson moved, Stobaugh seconded, to approve the following licenses and miscellaneous activities. Ayes (7), Nays (0). Motion carried.</p> <p><u>On-Sale 3.2% Malt Liquor – Beer</u> El Carambas Restaurant, LLC, 1503 Highway 14 East</p>

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Dance – Temporary

Alfredo Flores, Red Wing – Public Dance at Graham Arena West – May 14, June 19, July 17 and August 28, 2004

Fireworks Display

Rochester Golf & Country Club – 4th of July Fireworks – July 4, 2004, 10:00 PM

Rochester Honkers Baseball Club – Fireworks after Baseball Games – June 2 and August 3, 2004 – 10 PM

Gambling – Premise Permit

Rochester Juvenile Hockey Association – at Aviary Restaurant
Veterans of Foreign Wars – Renewal – 16 Sixth Street S.W.

Gambling – Temporary

Ronald McDonald House – Raffle – July 30, 2004 – Willow Creek Golf Course

House Mover

Andy & Lisa Erding, Wykoff – house from 849 Fourth Avenue SE to Wykoff – Mid-June

Sewers & Drains

Briggs Excavating, LLC, Stewartville

Sidewalks – Cement

Dan Ryan Concrete, Mantorville
David Splittoesser, Rochester

Sound Amplification

Brothers Bar & Grill, 812 South Broadway – Back Parking Lot Fun Night – June 5, 2004 – 7:00 to 11:00 PM

Whistle Binkies Olde World Pub, 3120 Wellner Drive N.E. – 2nd Anniversary Celebration in Parking Lot – June 12, 2004 – 12 Noon to 8:00 PM

Mayo Clinic Department of Medicine – Leadership Retreat – Behind Mayo Civic Center – August 13, 2004 – 8:00 to 11:00 PM

St. John the Evangelist Church – Block Party on Church Grounds & First Street SW between 4th Avenue and 6th Avenue – July 10, 2004 – 12 Noon to 11:00 PM

Dona & Sara Gilliland, 2131 Viking Drive NW – Backyard 8th Grade Party – May 22, 2004 – 7:00 to 10:30 PM

Pint's Pub – 530 11th Avenue NW – Blues & Brew Outdoor Bar-B-Que – May 22, 2004 – 1:00 to 11:00 PM

Miscellaneous

Mayo Clinic Department of Medicine – Leadership Retreat – Behind Mayo Civic Center – August 13, 2004 – 8:00 to 11:00 PM

Federal Medical Center – 5K Fun Run – May 27, 2004 – 3:00 to 5:00 PM
ARC of Olmsted County – Centurion Bike Ride – July 10, 2004

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<p>Ronald McDonald House & SE Minnesota Harley Owners – Motorcycle Parade Fundraiser – July 25, 2004</p>
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<p>St. John the Evangelist Church – Block Party on Church Grounds & First Street SW between 4th Avenue and 6th Avenue – July 10, 2004 – 12 Noon to 11:00 PM</p>

<p>Gregory Neumann/John Horntvedt, Savannah Drive NW & 45th Street NW – Neighborhood Fourth annual Block Party – June 12, 2004 – 5:00 to 11:00 PM</p>
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<p>Rochester Veterans Memorial Association – Memorial Day Parade – May 31, 2004, 9:15 to 11:30 AM</p>

<p><u>Outdoor Dining Renewals</u></p>

<p>City Market, 212 First Avenue SW</p>

<p>Daube's Bakery, 14 Third Street SW</p>

<p>Mac's Restaurant, 20 First Street SW</p>

<p>Wong's Café – 4 Third Street SW</p>
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<p><u>Fireworks Sales – Renewals</u></p>
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<p>TNT Fireworks</p>	5 locations (tents)
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<p>KwikTrip</p>	9 locations
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<p>Superamerica</p>	6 locations
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<p>Vapor of Smoke</p>	4 locations (tents)
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<p>Conoco Stations</p>	7 locations
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<p>Fireworks World</p>	3 locations (tents)
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<p>Phantom Fireworks</p>	3 locations (tents)
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<p>Amoco Stations</p>	4 locations
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<p>Sam's Club-Walmart</p>	3 locations
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<p>Super Target</p>	1 location
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<p>Shopko</p>	2 locations
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<p>Snyder Drugs</p>	1 location
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<p>Cub Foods</p>	1 location
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<p>K-Mart</p>	1 location
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<p>Ace Hardware</p>	2 locations
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D-21	<p>Councilmember Means asked Larry Koshire, Director of Public Utilities, if the joint venture is contingent upon the clarifications in his memo of April 27, 2004; i.e., joining the Bond pool does not commit the utility to any financing, etc. Mr. Koshire answered "yes."</p>
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<p>Councilmember Means moved, Marcoux seconded, to adopt Resolution No. 213-04 approving Rochester Public Utilities to form a joint venture in the form of a nonprofit corporation and become a member of Midwest Consortium of Municipal Utilities and to approve the Articles of Incorporation and the Bylaws of Midwest Consortium of Municipal Utilities. Ayes (7), Nays (0). Motion carried.</p>

D-23	<p>Councilmembers Nowicki moved, Stobaugh seconded, to adopt Resolution No. 214-04 supporting the Senate LGA Formula revisions and additional funding for 2005. Ayes (7), Nays (0). Motion carried.</p>
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E-1	<p>A Continued Hearing on Vacation Petition #03-10, Marigold Foods, LLC to vacate right of way located west of West Silver Lake Drive and south of 5th Street NE.</p> <p>The applicant has requested that the item be tabled until such time as they are prepared to move forward with the project.</p> <p>Councilmembers Stobaugh moved, Marcoux seconded, to table the Hearing on Vacation Petition #03-10, Marigold Foods, LLC at the request of the applicant. Ayes (7), Nays (0). Motion carried.</p>
E-2	<p>A Hearing on Amendment to General Development Plan #136 by Quinstar to amend the southwesterly portion of the GDP located south of Pinewood Road and east of Co. Rd. 11 (11th Avenue S.E.) and north of US 52.</p> <p>The City initiated to continue the hearing to May 17, 2004</p> <p>Councilmembers Nowicki moved, Marcoux seconded, to continue the hearing on Amendment to General Development Plan #136 by Quinstar. Ayes (7), Nays (0). Motion carried.</p>
E-3	<p>A Hearing on Land Use Plan Amendment #03-07 by Mark Leitzen to designate property to commercial and industrial uses located south of the Southport Development, west of CR 1 and north of TH 52 S.</p> <p>The applicant has requested that Land Use Plan Amendment #03-07, Zoning District Amendment #03-24, and General Development Plan #221 by Mark Leitzen be continued to the May 17, 2004, meeting to allow a presentation at the Committee of-the-Whole meeting prior to the public hearing.</p> <p>Councilmembers Nowicki moved, Marcoux seconded, to continue Land Use Plan Amendment #03-07, Zoning District Amendment #03-24, and General Development Plan #221 by Mark Leitzen the May 17, 2004, meeting. Ayes (7), Nays (0). Motion carried.</p>
E-4	<p>A Hearing on Zoning District Amendment #03-24 by Mark Leitzen to zone property to B-4 and M-1 located south of the Southport Development, west of CR 1 and north of TH 52 S.</p> <p>Continued to May 17, 2004. See Item E-3.</p>
E-5	<p>A Hearing on General Development Plan #221 by Mark Leitzen located south of the Southport Development, west of CR 1 and north of TH 52 S.</p> <p>Continued to May 17, 2004. See Item E-3.</p>
E-6	<p>A Hearing on Amendment to the Fox Knob Special District to amend the east 1/3 of the Plan located south of Fox Valley Drive S.W., west of Baihly Hills Drive S.W. and east of Fox Hill First and Second Subdivisions, and</p>

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General Development Plan #114, an Amendment to the Cook-Thompson/Fox Knob General Development Plan for land located south of Fox Valley Drive and west of Baihly Hills Drive N.E., and

A Hearing on Preliminary Plat #04-07 by Ray Englander to be known as Fox Hill Fourth located along the south side of Fox Valley Drive S.W. and west of Baihly Hills Drive S.W.

President Hunziker opened Items E-6, E-7, and E-8. Comments made reflect into each hearing item.

Wishing to be heard was Christine Schultze, 503 Eighth Avenue S.W., the applicant's representative. She noted that they met with the neighbors this afternoon. Questions regarding the application were worked out. Ms. Schultze handed out materials to the Council on Fox Hill Fourth Special District, General Development Plan and Preliminary Plat Applications. She showed the buildable area exhibits noting the trees, property grades, and maintaining view between homes. She showed an exhibit of the area reflecting the reason for the narrowing of the road. Fox Hill Fourth has agreed not to object to returning Baihly Hills Drive street width to 36 feet subject to City approval noting that the applicant considers reduction an opportunity to be consistent with Baihly Summit Drive and to provide width variation from top of the hill down to add a calming measure. A vicinity exhibit was shown noting that Fox Knob Special District is a higher density. The density variations already existing range from 1.45 units per acres to 2.22 units per acre. It is compatible. The exhibit showed the range of lot sizes in Baihly and Fox Hill and Foxcroft and others. The ranges are very similar. Lot to Lot variation across street frontages was another topic brought up. There is a similar variance in the Fox Croft District as what exists in Baihly and Foxcroft. Fox Hill Fourth also agrees there will be a 20 foot minimum setback from the lot line at Baihly Hills Drive right-of-way for all homes and side-loaded garages. There will be a 24 foot minimum setback from the lot line at Baihly Hills Drive for all front-loaded garages. The minimal setbacks apply to corner and mid-block lots. Ms. Schultze asked that the letter from Ray Englander to the neighbors be entered into the record stating that they wish this project to be a very good neighborhood in Rochester.

Allen Witz, 2315 Baihly Hills Drive S.W. Mr. Witz represents the Baihly Hills Neighborhood Association. He wished to thank Councilmembers for visiting with the Neighbor Association during the weekend. He said that the compromise was reached when Councilmembers Hanson and Marcoux noted that the City had no problem with returning Baihly Hills Drive to a 36 foot width. Councilmember Marcoux confirmed the agreement. The Association also agreed with the setbacks. Upon these agreements, the Association withdrew its objections.

Wishing to be heard was Christine Schultze, 503 Eighth Avenue S.W., the applicant's representative. She noted that Condition #3 on Item #7. She said that the Public Works Department, represented by David Kramer, asked that the condition be changed to read: "...Parking will only be permitted along the outside loop of Fox Meadow Court SW and along the easterly/northerly side of the two way section of Foxwoods Place NW....." be changed to read: "...Fox Meadow Court

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	<p>SW, and along the easterly/northerly side <u>one side</u> of the section of Fox Woods Place NW...".</p>
	<p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Marcoux moved, Nowicki seconded, to proceed with the Special District and to instruct the City Attorney to prepare the required ordinance amending the Fox Knob Special District by incorporating the elements of the compromises negotiated between the neighborhood and the developer. Ayes (7), Nays (0). Motion carried.</p>
E-7	<p>A Hearing on General Development Plan #114, an Amendment to the Cook-Thompson/Fox Knob General Development Plan for land located south of Fox Valley Drive and west of Baihly Hills Drive N.E.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to approve General Development Plan #114, an Amendment to the Cook-Thompson/Fox Knob General Development Plan with six conditions amending Condition #3 in accordance with the E-Mail Message from David Kramer and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (7), Nays (0). Motion carried.</p>
E-8	<p>A Hearing on Preliminary Plat #04-07 by Ray Englander to be known as Fox Hill Fourth located along the south side of Fox Valley Drive S.W. and west of Baihly Hills Drive S.W.</p> <p>Councilmembers McConnell moved, Marcoux seconded, to approve Preliminary Plat #04-07 by Ray Englander to be known as Fox Hill Fourth with eight conditions amending Condition #3 in accordance with the E-Mail Message from David Kramer and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Ayes (7), Nays (0). Motion carried.</p>
E-9	<p>A Hearing on General Development Plan #234 to be known as Bakken Property by David Bakken located north of the Emerald Hills Development, east of the recently approved Cassidy Hills Development and south of 48th Street N.E.</p> <p>Wishing to be heard was Wade DuMond, Yaggy-Colby Associates, representing the developer. He noted agreement with the conditions. Mr. DuMond spoke to Condition #1. The roads were specifically laid out for the house that is built next to the Bakken's. He said that there were neighbors that were concerned about taking access from Emerald Hills. The roads were designed to make the connection with a 66-foot right-of-way. The secondary access for Emerald Hills has been planned. There are currently 127 lots.</p> <p>President Hunziker noted that the Planning Staff added Condition #11 to the approval process. Without Condition #11, denial was recommended by the Planning Staff and the Planning Commission. The added condition allows for no additional development until the Council determines public facilities are adequate to accommodate this development.</p>

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Wishing to be heard was Phil Staite, 3229 Darcey Drive N.E., one lot away from the proposed development. He had three concerns. First, there will be approximately 600 lots when the development is finished. There will be added two exits and the Emerald Hills exit. He felt that this was perhaps too many lots and would like the Council to consider a lower density. Second, Darcey Drive creates a one-half mile long drag strip to Century High School. They would like to see a more meandering road path. One of the areas contains 104 lots with one exit out with the remaining exists into Emerald Hills. Emerald Hills is over the recommended limit for its exit.

Wishing to be heard was Sara Felts, 3223 Darcey Drive N.E. She noted her concurrence with Mr. Staite. She is also concerned about the number of houses and exits. One exit drives right into the back of Century High School bringing up the question of school safety and having a protected school property. Ms. Felts was also concerned that a wildlife corridor is developed in the area. She said that up until this point, there has not been much discussion between the owner and the developer and hoped there would be more in the future.

Wishing to be heard was Gertrude B. Sehl, 2580 Hadley Valley Road. She asked if there would be sewer service on 48th Street. She asked how the assessments will be determined for the sewer. Richard Freese, Director of Public Works, stated that homes wouldn't be built until the sewer is installed which could be as early as 2006. He said that no sewer will be installed until 60 percent of the cost of installation is covered by those property owners interested in having the sewer.

Wishing to be heard was Doug Dose, 2230 48th Street N.E. Mr. Dose said that he has been living on 48th Street since 1981. His concern was the street area where the blacktop stops and the crushed rock begins. The road on numerous occasions has water going over it. He asked that the City make sure that the water runoff not be accelerated with the increased development.

Having no one further wishing to be heard, President Hunziker closed the hearing.

Councilmembers Hanson moved, McConnell seconded, to approve General Development Plan #234 to be known as Bakken Property by David Bakken with 11 conditions and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order. Discussion.

Richard Freese, Director of Public Works, reminded the Council that in October 2003 when the Storm Water Utility program was adopted, the Council also adopted an amendment to the Storm Water Master Plan to do a comprehensive study of the storm water analysis in this area.

Wade DuMond, Yaggy-Colby Associates, stated that a neighborhood meeting will be held in the future. He said that an alignment of 48th Street has already been looked at as well.

Phil Wheeler, Planning Director, said that the GDP will expire unless there is a subsequent approval such as a preliminary plat. In this particular case, the Council

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	<p>could extend the time this GDP is approved for two years after the availability of services.</p> <p>Councilmembers Hanson amended his motion, seconded by McConnell, to include that the GDP is approved for two years after the availability of services as determined by the Public Works Department, for a total of 12 conditions on General Development Plan #234. Ayes (7), Nays (0). Motion carried.</p>
E-10	<p>A Hearing on Final Plat #04-13 to be known as Badger Hills Subdivision located north of Valleyhigh Road N.W., west of Superior Drive N.W.</p> <p>Wishing to be heard was Mac Hamilton, Chief Manager for Badger Hills LLC. He noted agreement with the six conditions. Mr. Hamilton said that they found out that the entire area was not annexed because it was 80 acres. The township agreed to only 40 acres at one time. The second half of the property, the western portion, needs to be annexed and plans are proceeding to do so.</p> <p>Councilmember McConnell asked about the completion of 41st Street. Mr. Hamilton said that they are working with the City and it will be about two years before it is done. The road will be needed prior to completion of the Third Phase. The road will be named Badger Hills Drive.</p> <p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers McConnell moved, Means seconded, to adopt Resolution No. 215-04 approving Final Plat #04-13 to be known as Badger Hills Subdivision with six conditions. Ayes (7), Nays (0). Motion carried.</p>
E-11	<p>A Hearing on Final Plat #04-14 to be known as Badger Village Second located west of Superior Drive N.W., south of Valleyhigh Road N.W.</p> <p>Wishing to be heard was Mac Hamilton, Chief Manager, Badger Hills LLC. He said that they are asking for approval on the northern portion of the Badger Village Suite concept. He noted that they are in agreement with the six conditions including the revised Condition #3 for reconfiguration of the traffic flow as proposed by Public Works in a memo from Mike Nigbur dated May 3, 2004.</p> <p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Marcoux moved, Nowicki seconded, to adopt Resolution No. 216-04 approving Final Plat #04-14 to be known as Badger Village Second with six conditions including the revision of Condition #3. Ayes (7), Nays (0). Motion carried.</p>
G-3a	<p>An Ordinance Amending and Re-Enacting Section 105A.02 of the Rochester Code of Ordinances, Relating to the Number of Public Dance Permits, was given a second reading. Councilmembers Hanson moved, Stobaugh seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>

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G-3b	<p>An Ordinance Rezoning Approximately 89 Acres of Property From the I Zoning District to the R-1 Zoning District, and Amending Ordinance No. 2785, Known as the Zoning Ordinance and Land Development Manual of the City of Rochester, Minnesota, was given a second reading. Councilmembers McConnell moved, Stobaugh seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Zoning District Amendment #04-04 – South Side of Eastwood Road SE, East of Grandview Memorial Gardens, West of Knollwood Drive SE)</p>
G-3c	<p>An Ordinance Annexing to the City of Rochester Approximately 15.99 Acres of Land Located In a Part of the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter, Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, was given a second reading. Councilmembers Marcoux moved, McConnell seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Annexation Petition #04-06 – East of East Circle Drive, West of Century Hills Drive NE)</p>
G-3d	<p>An Ordinance Annexing to the City of Rochester Approximately 43.34 Acres of Land Located In a Part of the Southwest Quarter of the Southwest Quarter of Section 29, the Southeast Quarter of the Southeast Quarter of Section 30, the Northeast Quarter of the Northeast Quarter of Section 31 and the Northwest Quarter of the Northwest Quarter of Section 32, All in Township 107 North, Range 13 West, Olmsted County, Minnesota, was given a second reading. Councilmembers Marcoux moved, Stobaugh seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Annexation Petition #04-06 – East of Century Valley Road NE and Century Point First Subdivision)</p>
G-3e	<p>An Ordinance Amending and Re-Enacting Sections 60.323, 60.424, 62.144, 62.331, 62.332 and 63.227 of the Rochester Code of Ordinances, Relating to the Residential Commercial Zoning District, was given a second reading. Councilmembers McConnell moved, Marcoux seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried. (Text Amendment #03-10)</p>
J-1	<p>Having no further business, Councilmembers Marcoux moved, McConnell seconded, to adjourn the meeting. Ayes (7), Nays (0). Motion carried.</p>

City Clerk

7062

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